

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled OPTIC CONFIGURATION FOR INTRAOCULAR LENS SYSTEM; the specification of which was filed on **December 11, 2001** as Application Serial No. **10/017,920**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/264,179

Filing Date: 1/25/01

Application No.: 60/283,856

Filing Date: 4/13/01

Application No. 60/337,343

Filing Date: 11/9/01

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.:

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Full name of first inventor: **Albert C. Ting**

Inventor's signature Albert C. Ting

Date March 18, 2002

Residence: 24082 Nuthach Lane, Laguna Niguel, CA 92617-1382

Citizenship: U.S. <sup>ACZ</sup> <sub>3/18/02</sub> <sup>AC</sup> <sub>3/18/02</sub>

Post Office Address: Same

Full name of second inventor: **Gholam-Reza Zadno-Azizi**

Inventor's signature \_\_\_\_\_



Date \_\_\_\_\_

3-18-02

Residence: **47066 Palo Amarillo Drive, Fremont, CA 94539**

Citizenship: **French**

Post Office Address: Same

Full name of third inventor: **Tuan Anh Nguyen**

Inventor's signature \_\_\_\_\_



Date \_\_\_\_\_

3/18/02

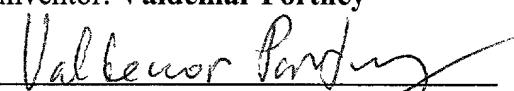
Residence: **2418 E. Karan Lane, Orange, CA 92869**

Citizenship: **U.S.**

Post Office Address: Same

Full name of fourth inventor: **Valdemar Portney**

Inventor's signature \_\_\_\_\_



Date \_\_\_\_\_

March 18, 2002

Residence: **11940 N. Riviera, Tustin, CA 92782**

Citizenship: **U.S.**

Post Office Address: Same

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Send Correspondence To:

**KNOBBE, MARTENS, OLSON & BEAR, LLP**

**Customer No. 20,995**



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Albert C. Ting, et al. )  
App. No. : 10/017,920 )  
Filed : December 11, 2001 )  
For : OPTIC CONFIGURATION FOR )  
INTRAOCULAR LENS SYSTEM )  
Examiner : Unknown )

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ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and

App. No. : 10/017,920  
Filed : December 11, 2001

revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Visiogen, Inc.

Dated: 3-18-02

By:   
Reza Zadno, Ph.D.

Title: President and CEO

Address: 4 Jenner Street  
Suite 180  
Irvine, CA 92618

H:\DOCS\MJK\MJK-3884.DOC:ip/031102

## ASSIGNMENT

*Nuthatch* *3/18/02*

WHEREAS, We, Albert C. Ting, a United States citizen, residing at 24082 Nuthatch Lane, Laguna Niguel, CA 92617-1382; Gholam-Reza Zadno-Azizi, a French citizen, residing at 47066 Palo Amarillo Drive, Fremont, CA 94539; Tuan Anh Nguyen, a United States citizen, residing at 2418 E. Karan Lane, Orange, CA 92869; and Valdemar Portney, a United States citizen, residing at 11940 N. Riviera, Tustin, CA 92782 have invented certain new and useful improvements in an OPTIC CONFIGURATION FOR INTRAOCULAR LENS SYSTEM for which we have filed an application for Letters Patent in the United States, Application No.: 10/017,920 Filing Date: December 11, 2001;

AND WHEREAS, Visiogen, Inc. (hereinafter "ASSIGNEE"), a Corporation, with its principal place of business at 4 Jenner Street, Suite 180, Irvine, CA 92618, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18<sup>th</sup> day of March, 2002.

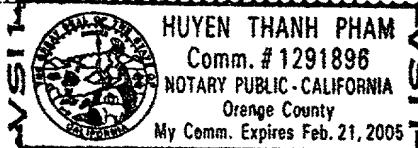
*Albert C. Ting*  
Albert C. Ting

STATE OF }  
COUNTY OF }  
} ss.

On 3-18-02, before me, HUYEN THANH PHAM, personally appeared Albert C. Ting personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



*Huyent Pham*  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18<sup>th</sup> day of March, 2002

Gholam-Reza Zadno-Azizi

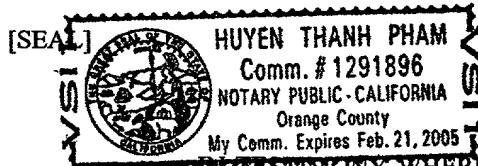
Gholam-Reza Zadno-Azizi

STATE OF CALIFORNIA ss.

COUNTY OF ORANGE

On 3-18-02, before me, HUYEN T. PHAM, personally appeared Gholam-Reza Zadno-Azizi personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18<sup>th</sup> day of March 2002

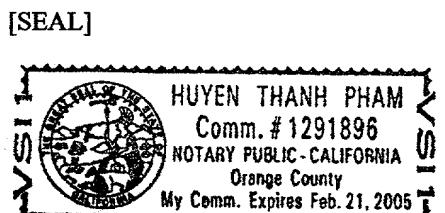
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Huy  
Notary Signature

STATE OF CALIFORNIA ss.  
COUNTY OF ORANGE

On 3-18-02, before me, HUYEN T. PHAM, personally appeared Tuan Anh Nguyen personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Tuan Anh  
Notary Signature

20.

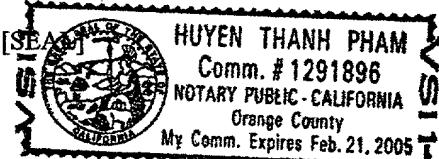
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 18 day of March,

Valdemar Portney  
Valdemar Portney

STATE OF CALIFORNIA ] ss.  
COUNTY OF ORANGE ] ss.

On 3-18-02, before me, HUYEN T. PHAM personally appeared Valdemar Portney personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Neamhae  
Notary Signature